

1 LAURA E DUFFY  
United States Attorney  
2 DANIEL E. BUTCHER  
Assistant U.S. Attorney  
3 California Bar No. 144624  
Office of the U.S. Attorney  
4 880 Front Street, Room 6293  
San Diego, CA 92101  
5 Tel: (619) 546-7696  
Fax: (619) 546-7751  
6 Email: Daniel.Butcher@usdoj.gov

7 Attorneys for the United States

8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA

10  
11 LYCURGAN INC. dba ARES ARMOR,

12 Plaintiff

13 v.

14 B. TODD JONES, in his official capacity  
as Head of the San Diego Bureau of  
15 Alcohol, Tobacco, Firearms and  
Explosives; and DOES 1-10,

16 Defendants.  
17

Case No.: 14CV1679 JLS (BGS)

NOTICE OF MOTION AND MOTION  
TO DISMISS AMENDED COMPLAINT

DATE: October 1, 2015

TIME: 1:30 p.m.

Hon. Janis L. Sammartino

18 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

19 **PLEASE TAKE NOTICE** that on October 1, 2015, at 1:30 p.m., or as soon  
20 thereafter as counsel may be heard, in the Courtroom of the Honorable Janis L.  
21 Sammartino, Defendant, through its attorneys of record, Laura E. Duffy, United States  
22 Attorney, and Daniel E. Butcher, Assistant U.S. Attorney, will and hereby does move  
23 this Court to dismiss the Plaintiff's amended complaint pursuant to Federal Rules of  
24 Civil Procedure 12(b)(1) and 12(b)(6). This motion is based upon the attached  
25 memorandum of Point and Authorities, the Declaration of Armando Hernandez,  
26 Exhibits 1-7, and the files and records in this case.

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1 DATED: August 5, 2015

Respectfully submitted,

2 LAURA E. DUFFY  
3 United States Attorney

4 s/ Daniel E. Butcher  
5 DANIEL E. BUTCHER  
6 Assistant United States Attorney  
7 Attorneys for Defendant  
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